

REQUIREMENTS & INSTRUCTIONS - GUARD OR PRIVATE DETECTIVE

SOLE WITH NO EMPLOYEES/ PRINCIPAL

Access this form via website at: www.hawaii.gov/dcca/pvl

THE LAW

§463-5 Private detectives, guards, and agencies; license required. No person shall engage in the business of private detective or guard, represent oneself to be, hold oneself out as, list oneself or advertise as a private detective or guard or as furnishing detective investigating services or guard services without first obtaining a license as a private detective or guard from the board of detectives and guards upon payment of application, examination and license fees and no firm, corporation, partnership, or association shall engage in the business of private detective or guard, represent itself to be, hold itself out as, list itself or advertise as a private detective or guard agency or bureau or as furnishing detective, investigating, or guard services without first obtaining a license as a private detective or guard agency from the board upon payment of application and license fees.

IMPORTANT: DO YOU HAVE THE WORK EXPERIENCE?

Applicants shall have had experience reasonably equivalent to at least **4 years of full-time investigational or guard work**. The Board may accept the following types of experience:

1. For persons applying to be private detectives, employment:
 - (a) Under the supervision of a licensed private detective;
 - (b) As a police officer with a police department of a state or political subdivision thereof;
 - (c) As an investigator with any federal, state, county, or municipal government agency; or
 - (d) As an investigator by an attorney-at-law or law firm.
2. For persons applying to be guards, employment:
 - (a) Under the supervision of a licensed guard;
 - (b) As a guard by a private employer;
 - (c) As a police officer with a police department of a state or political subdivision thereof; or
 - (d) As a guard with any federal, state, county, or municipal government agency.

SOLE PROPRIETORS AND PRINCIPALS

File this application if you are a sole proprietor with no employees or the "*Principal*" of a corporation, partnership, joint venture, LLC or LLP to apply for a private detective or guard license. If a private detective AND a guard license is desired, complete a separate application for each license type. The "*Principal*" of an agency must have a Hawaii residence address, P.O. Box is not acceptable.

The sole proprietor with employees who is starting a business must also apply for an "Agency" license on a separate application (See Board's form PDG -01).

INSTRUCTIONS FOR FILING:

APPLICATION

1. Use a typewriter or print legibly in BLACK ink.
2. Answer all questions. If an item/question is not applicable to you, please indicate that it is not applicable with, "NA".
3. Use a stapler to affix a photograph, front view, head and shoulders, 2" x 2" in size, in the space provided.
4. Sign the application.

TRADE NAME

If you are a sole proprietor and planning to use a trade name, submit a filed-stamped copy of current trade name registration approved by the Business Registration Division of the Department of Commerce and Consumer Affairs.

FINGERPRINTING

All fingerprinting must be done on the cards provided by the Board only. It has the Board's agency code imprinted on it. The FBI will not accept any card without the pre-printed Board's code. (Contact the Board's office at (808) 586-3000 for the card if you download this application via the Internet.)

Complete everything you can in the top portion of the card in BLACK INK—Your name, aliases, citizenship, armed forces number, social security number, sex, race, height, weight, color eyes, color hair, date of birth, place of birth, your signature, residence address, employer's name and address and reason fingerprinted (private detective or guard licensure). Some agencies charge a fee for taking your prints.

• FOR OAHU APPLICANTS

The Hawaii Criminal Justice Data Center (HCJDC) will do your **fingerprinting and criminal abstract**. Contact them at (808) 587-3100 or visit their website at: www.hawaii.gov/hcjdc to request a form.

• ALL OTHERS

Take the completed Board imprinted card (blue and white) to get your fingerprints taken at any police station or other fingerprinting agency in your state.

The completed fingerprint card will be given back to you. Submit the completed card and cashier's check or a U.S. Postal money order for \$25.00 payable to State of Hawaii. No personal checks are accepted.

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FINGERPRINTING

• ALL OTHERS (Contd.)

Upon submittal of your application, fingerprinted card, and fees the Board will forward the card to the HCJDC for a report.

The process of obtaining a report from the HCJDC will take approximately 2 weeks from the date submitted to the HCJDC. You are urged to complete this fingerprinting as soon as possible and submit to the Board with a completed application form to avoid unnecessary delay in the application process. Other required documents may follow.

CRIMINAL ABSTRACTS

A criminal history abstract is required for ALL locations which the applicant has resided during the past 10 years.

- **FOR OAHU APPLICANTS:** Contact the Hawaii Criminal Justice Data Center at 587-3100 or visit their website at: www.hawaii.gov/hcjdc to request a "Criminal History Record Check" form.
- **FOR NEIGHBOR ISLAND APPLICANTS:** Contact the main county police departments and Kona for information on obtaining criminal abstracts.
- **OUT OF STATE APPLICANTS:** Contact the local authority in each of the locations you've resided, during the past 10 years, for their forms and instructions.

Note: California abstracts - The California Department of Justice, Bureau of Criminal Identification & Information requires completion of a finger print card and processing fee of \$32. Please call our office at (808) 586-3000 for this fingerprint card.

Upon receipt of this card, please complete all required information and fingerprints and return this card to us with the processing fee (money order only) of \$32, made payable to the California Department of Justice. We will then forward your card to California.

HIGH SCHOOL EDUCATION

Attach evidence of a high school education or its equivalent:

- A photocopy of or your high school diploma, OR
- A certified transcript of your high school record, OR
- A statement from the state's department of education attesting that the equivalent of a high school education has been completed, OR
- A photocopy of or your college diploma.

PSYCHIATRIC or PSYCHOLOGICAL HISTORY

If you have received treatment for a psychiatric or psychological disorder; or, if such treatment has been recommended, you may be asked to have the psychologist or physician submit a statement to the board relating to your history.

EXPERIENCE REQUIREMENTS

Attach a notarized statement from your present employer and/or former employer attesting to your job duties and responsibilities that verify at least 4 years experience or other documentary evidence of your experience.

If you were self-employed and licensed in another state, **attach** verification from the state board on license status.

FEES

Attach TWO separate checks made payable to **COMMERCE & CONSUMER AFFAIRS**:

First Check: \$50 Application fee (not refundable)
Second Check: \$50 Examination fee.

APPLICANTS WITH SPECIAL NEEDS

If you are requesting special testing arrangements due to a disability, call (808) 586-2711 immediately to obtain a Disability Certification Form which must be completed by an approved professional, and submitted preferably prior to your exam application, but no later than the exam filing deadline. Determination of qualification for special testing arrangements will then be made and if so, the type of special testing arrangements to be provided.

No action will be taken to provide special testing arrangements until your exam application has been approved.

BOARD'S ADDRESS

Mail all required documents/items to:

Deliver to office location at:

BOARD OF PRIVATE DETECTIVES & GUARDS
DCCA, PVL Licensing Branch
P.O. Box 3469
Honolulu, HI 96801

or 335 Merchant St., Rm. 301
Honolulu, HI 96813

Phone: (808) 586-3000

APPLICANT CHECKOUT

This is a summary of the items needed to start the application for exam process and may be used by you to double check your submittals.

HAVE YOU COMPLETED THESE STEPS TO START YOUR APPLICATION PROCESS?

1. Answered all questions on the application form?
2. Signed the application form?
3. Affixed your photo to the application form?
4. Attached the payments:
 - a. \$50 application fee (payable to Commerce & Consumer Affairs)?
 - b. \$50 exam fee (payable to Commerce & Consumer Affairs)?
 - c. \$25 fingerprint report fee (money order or cashier's check payable to State of Hawaii)? (Out-of-state and neighbor island residents)
5. Attached the card with your fingerprints? (Out-of-state and neighbor island applicants)
6. Attached criminal abstracts covering 10 years?
7. Attached evidence of a high school education or its equivalent?
8. Attached evidence of 4 years of full-time investigational work or guard service?

Your application is considered complete when ALL REQUIRED DOCUMENTS are in the Board's office. Please note that the report from the FBI must also be received. Licensing must be completed within one year of the application date.

ABANDONMENT OF APPLICATION

Your application shall be considered abandoned and shall be destroyed if you fail to provide evidence of continued efforts to complete the licensing process for two consecutive years; provided that the failure to provide evidence of continued efforts includes but is not limited to: (1) failure to submit the required documents and other information requested by the licensing authority within two consecutive years from the last date the documents or other information were requested, or (2) failure to provide the licensing authority with any written communication during two consecutive years indicating that you are attempting to complete the licensing process, including attempting to complete the examination requirement.

EXAMINATION AND BOARD INTERVIEW

EXAMINATION

Examinations are held monthly.

After the application is approved for examination, applicants will be notified of the date, time, and place of the examination.

Applicants must attain a score of at least 75%.

Within 2 weeks after the exam, written notification of the results will be mailed. To protect the privacy of applicants, results are not released over the phone.

Passing applicants will be sent, in addition to the exam results, information regarding the board interview. Failing applicants will be sent, in addition to the exam results, information regarding retaking the examination.

POSTPONING or WITHDRAWING FROM EXAM

If applicant is unable to appear for the exam and wish to postpone it until the next exam date, a written request must be submitted one week prior to the date of the exam.

If applicant wishes to withdraw the application, submit a written request one week prior to the date of the scheduled exam. Applicants granted the withdrawal will be refunded the examination fee. Refunds take approximately 8 weeks to process.

BOARD INTERVIEW

The Board usually meets in January, March, May, July, September and November.

Passing candidates will be scheduled for appearance before the board for an interview. Failing candidates will be sent, in addition to the exam results, information on retaking the examination.

When the meeting date is determined, a written notice will be sent to the applicant containing the date, time, and place of the Board meeting.

In the event the applicant cannot make the scheduled interview, the Executive Officer of the Board should be notified to reschedule the date.

Notification regarding the Board's decision will be sent through the mail. To protect the privacy of applicants, results are not released over the phone.

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LICENSE REQUIREMENTS

Applicants approved by the Board will be required to **submit the following items** before a license will be issued:

BOND

A bond of not less than \$5,000 issued by a surety authorized to conduct business in this State on the form provided shall be submitted. Bond form must be notarized by both the applicant and surety issuing the bond. Surety must indicate on Bond form if Bond No. is for a Private Detective Agency or Guard Agency.

LICENSE FEES

1. If a license is issued between July 1, even-numbered year to June 30, odd-numbered year, pay \$210
(License fee - \$25, Compliance Resolution Fund - \$110, 1/2 Renewal fee-\$75)
2. If a license is issued between July 1, odd-numbered year to June 30, even-numbered year, pay \$80
(License fee - \$25, Compliance Resolution Fund - \$55)

Make checks payable to: Commerce & Consumer Affairs.

Note: One of the numerous legal requirements that you must meet in order for your new license to be issued is the payment of fees as set forth in this application. You may be sent a license certificate before the check you sent us for your required fees clears your bank. If your check is returned to us unpaid, you will have failed to pay the required licensing fee and your license will not be valid, and you **may not** do business under that license. Also, a \$15.00 service fee will be charged for checks which are returned by the bank.

If for any reason you are denied the license you are applying for, you may be entitled to a hearing as provided by Title 16, Chapter 201, Hawaii Administrative Rules, and/or Chapter 91, Hawaii Revised Statutes. Your written request for a hearing must be directed to the agency that denied your application, and must be made within 60 days of notification that your application for a license has been denied.

GUARD UNIFORM CLEARANCE

Photographs of the guard uniform emblem and badge (Chapter 16-97-14, HAR) will be required for the Board and police departments of each county where you will be doing business.

MAINTAINING YOUR LICENSE

MAINTAIN BOND

Maintain a bond in force at all times. Failure to maintain bonding will result in automatic suspension of license and the Board may take action against your license.

PLACE OF BUSINESS

A licensed Private Detective or Guard Agency shall have and maintain a definite place of business where the licensee may be served notice and legal process in the State. A Post Office Box number is not accepted as a place of business.

BIENNIAL RENEWAL

All licenses expire on June 30, of each even-numbered year. All licenses, regardless of issuance date, are subject to renewal on or before the expiration date. Payment of renewal fees, information relative to conviction of the licensee of a crime which reflects unfavorably on the fitness of the licensee to engage in the profession, whether any psychiatric or psychological treatment has been recommended to the licensee, and evidence of a current bond are required. Licensees renewing after the expiration date and within one year are required to restore their licenses and are assessed a penalty.

Licensees who do not restore their licenses within the one year period are required to file as new applicants.

GENERAL INFORMATION

LAWS & RULES

A copy of the laws, Chapter 463, HRS, and rules, Chapter 97, HAR, relating to private detectives and guards may be obtained from: The Board of Private Detectives & Guards, Commerce & Consumer Affairs, P.O. Box 3469, Honolulu, HI 96801. Chapter 436B, Hawaii Revised Statutes, the Professional and Licensing Act should be read in conjunction with the above statutes.

The laws and rules are also posted on our website at: www.hawaii.gov/dcca/pvl. Look under "Private Detective and Guard".

CHANGES TO REQUIREMENTS

Applicants are subject to requirements in effect at the time of filing.

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000, to submit your request.

APPLICATION FOR EXAM & LICENSE - GUARD or PRIVATE DETECTIVE

License No: _____ Eff. Date _____

Read the attached requirements and instructions before completing this form.

Legal Full Name (First - Middle) _____ (Last) _____

Residence Address (include Apt. No., City, State and Zip Code) _____

Mailing Address (ONLY if different from above) _____

Business Location (No PO Box) _____

FOR OFFICE USE

Type of LICENSE you are applying for (circle only one):
 GUARD PRIVATE DETECTIVE

Social Security No. _____ Age _____ Phone No. (days) _____

Employment Status (circle only one):
 SOLE PROPRIETOR PRINCIPAL OF AGENCY
 W/NO EMPLOYEES

Other Names Used (Include nicknames): _____

If "sole proprietor," list Trade Name (if any). _____ If "principal," list name and address of employer. _____ Employer Phone No. (days) _____

EMPLOYMENT RECORD: For last 10 years. Start with present or last. Use additional sheets if necessary.	Dates (mo/yr)		Name & Address of Employer	Position Held	Reason for Leaving
	From	To			
EDUCATION	Dates (mo/yr)		Name, & Location (city/state)	Position Held	Did you receive a diploma or certificate?
	From	To			
			High School		
			College/University		

Circle or underline your answers and give details when required:

- Are you at least 18 years old? YES NO
- Are you a U.S. citizen, a U.S. national, or an alien authorized to work in the United States? YES NO
- Have you had at least FOUR (4) YEARS of full-time investigational work experience or guard service? YES NO
- Have you ever been suspended or discharged by any employer? YES NO
(If response is "yes," explain on a separate sheet.)
- In the past 20 years, have you ever been convicted in any jurisdiction of a crime in which the conviction has not been annulled or expunged? YES NO
(If "yes," provide detailed information on the date, place and type of conviction on a separate sheet. Attach copy of court documents pertaining to the conviction.)

(CONTINUED ON NEXT PAGE)

PDG: App.....547\$50
 Exam.....549\$50
 Lic.....550\$25
 CRF.....548\$55 or \$110
 1/2 Renewal540\$75
 Service Fee.....BCF\$15

Continue circling or underlining answers and give details when required:

- 6a) Have you ever received treatment for any psychiatric or psychological disorder? YES NO
- b) Has any such treatment been recommended? YES NO
(If response "yes" to either questions 6a and 6b, submit statements from each treating psychologist or physician.)
- 7a) Do you own or are you a partner in any business? YES NO
- b) If response is "yes," give name of partner and location of business:

- 8a) Have you ever been a principal of any private detective or guard agency wherein you had direct management and control of the agency? YES NO
- b) If response is "yes," give name and location of agency:

- 9a) Are you now or have you ever been licensed in this or any other jurisdiction? YES NO
- b) If response is "yes," give name of jurisdiction, type of license and effective dates:

- c) Has any license ever been suspended, revoked or otherwise subject to disciplinary action? YES NO
- d) Are there any disciplinary actions pending? YES NO
- 10) Have you ever been denied a license by this board or in another jurisdiction? YES NO
(If "yes," explain on separate sheet.)
- 11) If applying as a sole proprietor, do you plan to hire employees? YES NO
(If "yes," please also file an agency license application.)

USE A STAPLER
TO AFFIX
A RECENT PHOTOGRAPH
OF YOURSELF HERE.

(2" x 2",
head and shoulders,
front view.)

Print your name on
the back of the photo.

AFFIDAVIT OF APPLICANT:

I solemnly swear that the answers and statements contained in this application and the attachments thereto are true and correct. I understand that misrepresentation is grounds for refusal or subsequent revocation of license (*Section 710-1017, Hawaii Revised Statutes*).

SIGNATURE
OF APPLICANT _____

Date

BOND FORM - PRIVATE DETECTIVE, GUARD OR AGENCY

BOARD OF PRIVATE DETECTIVES & GUARDS DEPARTMENT OF COMMERCE AND CONSUMER

AFFAIRS

PVL Licensing Branch
P.O. Box 3469
Honolulu, Hawaii 96801
Access this form via website at: www.hawaii.gov/dcca/pvl

Private Detective/Agency Bond No. _____

Guard/Agency Bond No. _____

KNOW ALL MEN BY THESE PRESENTS:

THAT WE _____,
(Name of Applicant)

of _____, State of Hawaii, as
(Address of Applicant)

Principal, and _____ registered and authorized to do business in the
(Name of Surety)

State of Hawaii, as Surety are held and firmly bound unto the State of Hawaii in the full and just sum of FIVE THOUSAND DOLLARS (\$5,000.00) lawful money of the United States of America, to be levied upon our respective, joint and several property, in case the conditions hereinafter set forth shall be violated.

For the just and full payment of which we hereby jointly and severally bind ourselves, and our respective heirs, executors, and administrators and assigns.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT:

WHEREAS, the above bounden principal has otherwise qualified and will be duly licensed by the Board of Private Detectives and Guards of the State of Hawaii following the filing of this bond in accordance with Chapter 463, Hawaii Revised Statutes.

NOW, THEREFORE, if the said bounden principal shall fully and faithfully comply with all of the provisions of said Chapter 463 and the rules and regulations of the Board, then this obligation shall be void, otherwise it shall be and remain in full force and effect.

AND, as provided in Chapter 463 of the Hawaii Revised Statutes, any person injured by the willful, malicious or wrongful act of the principal may sue the surety for the recovery of any damages sustained, but the aggregate liability of the surety shall not exceed the face of the bond.

IT IS HEREBY stipulated and agreed that suit on this bond may be brought before a court of competent jurisdiction without a jury.

AND, this bond shall remain in full force and effect and shall run concurrently with the license period and for any renewals thereof, unless terminated or cancelled by the surety. Such termination or cancellation shall not be effective, however, until at least thirty (30) days shall have passed following the receipt of the notice of such termination or cancellation in the office of the Board and shall thereafter be relieved of any liability for any breach of condition occurring after the effective date of cancellation.

IN WITNESS WHEREOF, we the said principal and the said Surety, have hereunto set our hands and seal this _____ day
of _____ 20 _____.

INSTRUCTIONS FOR FILING:

1. Complete **all** sections of form as required.
2. **Both** applicant **and** surety must complete and notarized page 2.
3. Failure to submit a completed form will delay processing of your license.
4. Attach Power of Attorney if applicable.

Principal

Surety

By _____

**ACKNOWLEDGEMENT
(PARTNERSHIP OR INDIVIDUAL)**

STATE OF HAWAII

}

City and County of _____ ss.

On this _____ day of _____, 20_____, before me personally came _____, to me known, and known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that _____ executed same.

NOTARIAL
SEAL

Notary Public State of _____
My Commission expires _____

**ACKNOWLEDGEMENT
(ENTITY)**

STATE OF HAWAII

}

City and County of _____ ss.

On this _____ day of _____, 20_____, before me personally came _____, to me known, who, being duly sworn, did depose and say: That he resides in _____; that he is _____ of the entity described in and which executed the above instrument, and acknowledged to me that _____ executed same.

NOTARIAL
SEAL

Notary Public State of _____
My Commission expires _____

**ACKNOWLEDGEMENT
(SURETY)**

STATE OF HAWAII

}

City and County of _____ ss.

On this _____ day of _____, 20_____, before me personally came _____, known to me to be attorney-in-fact for _____, and known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that _____ executed same.

NOTARIAL
SEAL

Notary Public State of _____
My Commission expires _____

STUDY MATERIALS

Most of the questions in the examination are referenced to the following books, laws or other materials. You should study carefully and systematically the references suggested below.

PRIVATE DETECTIVES

A series of books published by Butterworth-Heinemann Publishers, 225 Wildwood Ave., Woburn, MA 01801, Phone 1-800-366-2665, Fax 1-800-446-6520

Four books written by Art Buckwalter:

- * *SURVEILLANCE & UNDERCOVER INVESTIGATION*
- * *INTERVIEWS & INTERROGATIONS*
- * *THE SEARCH FOR EVIDENCE*
- * *INVESTIGATIVE METHODS*

SECURITY GUARDS

INTRODUCTION TO SECURITY

by Robert J. Fischer & Gion Green

Butterworth-Heinemann Publishers, 225 Wildwood Ave., Woburn, MA 01801

Phone 1-800-366-2665, Fax 1-800-446-6520

Both examinations include questions from:

Hawaii Administrative Rules
Chapter 16-97
Private Detectives & Guards

Hawaii Revised Statutes
Chapter 463
Private Detectives & Guards

The booklets are available by submitting a written request to:

PVL Licensing Branch
Commerce & Consumer Affairs
P.O. Box 3469
Honolulu, Hawaii 96801

or

The laws and rules are posted on our website at: www.hawaii.gov/dcca/pvl. Click on "Private Detective and Guard".

WHERE TO OBTAIN STUDY MATERIALS

Local libraries and bookstores.

- * Approved candidates will be allowed to borrow copies of these books from the Examination Branch (phone #808-586-2711). These books must be returned to the Examination Branch by or on the day of your examination in order for you to sit for the examination.